FINAL TEXT OF ADOPTED REGULATIONS

3000. Definitions

Section 3000 is amended to alphabetically merge the following definitions:

Automated Needs Assessment Tool means a systematic process which consists of a series of questions and a review of the inmate's criminal data in order to establish a baseline for the offender's criminogenic needs to assist in determining appropriate placement in a rehabilitative program.

Criminogenic Need means an attribute of the inmate that is directly linked to criminal behavior.

Note: Authority cited: Sections 2717.3, 3000.03, 5058 and 5058.3, Penal Code; Section 10115.3(b), Public Contract Code; and Sections 4525(a), 4526 and 14837, Government Code. Reference: Sections 186.22, 243, 314, 530, 532, 646.9, 653m, 832.5, 1170.05, 1203.8, 1389, 2080, 2081.5, 2600, 2601, 2700, 2717.1, 2717.6, 2932.5, 3003.5(a), 3020, 3550, 4570, 4576, 5009, 5054, 5068, 7000 et seq. and 11191, Penal Code; Sections 1132.4 and 1132.8, Labor Code; Sections 10106, 10108, 10108.5, 10115, 10115.1, 10115.2, 10115.3 and 10127, Public Contract Code; and Section 999, Military and Veterans Code; Section 391, Code of Civil Procedure; Section 297.5, Family Code; Section 8550 and 8567, Government Code; Governor's Prison Overcrowding State of Emergency Proclamation dated October 4, 2006; In re Bittaker, 55 Cal.App. 4th 1004, 64 Cal. Rptr. 2d 679; Section 11007, Health and Safety Code; and Madrid v. Cate (U.S.D.C. N.D. Cal. C90-3094 TEH).

3375. Classification Process

Existing Subsections 3375 through 3375(k)(2) remain unchanged.

New Subsection 3375(l) is adopted to read:

(l) An automated needs assessment tool that identifies an inmate's criminogenic needs shall be administered pursuant to Section 3375.6.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 1203.8, 3020, 5054, 5068 and 11191, Penal Code; Section 8550 and 8567, Government Code; and Governor's Prison Overcrowding State of Emergency Proclamation dated October 4, 2006; Wright v. Enomoto (1976) 462 F. Supp. 397; Stoneham v. Rushen (1984) 156 Cal.App.3d 302; and Castillo v. Alameida, et al.,(N.D. Cal., No. C94-2847).

New Section 3375.6 title is adopted to read:

3375.6 Automated Needs Assessment Tool.

New Subsections 3375.6(a) through 3375.6(a)(3) are adopted to read:

(a) A validated automated needs assessment tool, as defined in Section 3000, will identify criminogenic needs which are most predictive of criminal behavior. The tool identifies a needs value that demonstrates the level of need from high to low and shall be utilized to assist in placing the inmate in a rehabilitative program. Currently the automated needs assessment tool

that is being utilized is the Correctional Offender Management Profiling For Alternative Sanctions (COMPAS) (copyright version 2009), which is hereby incorporated by reference. This tool is subject to change in the future, due to proprietary licensing rights, software version updates, and the department's agreement with the licensed authority.

(1) An automated needs assessment tool shall be administered during the reception center process for all inmates.

(2) An automated needs assessment tool shall be administered during the initial or annual review process for inmates who do not have a completed automated needs assessment tool.

(3) The automated needs assessment tool evaluates the inmate's criminogenic needs in categories such as substance abuse, vocational, educational, criminal personality, family criminality, and anger/violence.

New Subsection 3375.6(b) is adopted to read:

(b) The results of the automated needs assessment tool shall be evaluated during committee actions to assist in determining the inmate's placement and sequencing into rehabilitative programs. The automated needs assessment tool results shall be placed in the inmate's central file.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference Sections 3020, 5054, and 5068, Penal Code.